IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SIXTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 3910 of 2004

Between:

1 Pamu Manga, w/o Govind,
Occ:Housewife, r/o Paturu (V), Vepadu (M),
Vizianagaram District.
2 Palli Dhana Laxmi, w/o Kashi Vishwanadha Rao,
Occ:Housewife, r/o Paturu (V), Vepadu (M), Vizianagaram District.
3 Gavara Chinamma, w/o Appa Rao,
Occ:Housewife, r/o Paturu (V), Vepadu (M), Vizianagaram District.
4 Dwarapudi Vijaya, w/o Ramakrishna,
Occ:Housewife, r/o Paturu (V), Vepadu (M), Vizianagaram District.
5 K.Bhavani, w/o Ramakrishna,
Occ:Housewife, r/o Paturu (V), Vepadu (M), Vizianagaram District.
6 Salapu Achayamma, w/o Srinu,
Occ:Housewife, r/o Paturu (V), Vepadu (M), Vizianagaram District.
7 Dwarapudi Jayamma, w/o Appaleshwar Rao,
Occ:Housewife, r/o Paturu (V), Vepadu (M), Vizianagaram District.
8 Padathala Muthyalamma, w/o Muthyala Naidu,
Occ:Housewife, r/o Paturu (V), Vepadu (M), Vizianagaram District.

..... PETITIONERS

AND

1 The Govt. of Andhra Pradesh, Women Development, Child Welfare & Disabled Welfare Department, rep., by its Principal Secretary, Secretariat Buildings, Hyderabad.
2 The District Collector, Vizianagaram District.

3 The Project Director, District Woman & Child Development Agency, Vizianagaram.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents herein in cancelling the Anganwadi Centre at Paturu-I Village of Vepadu Mandal, Vizianagaram District by Proc.1522/03/A, dt.11-02-2004 on the file of the 3rd respondent as illegal, in violation of Art.39 & 47 of the Constitution of India and set aside the same and consequently direct the respondents herein not to cancel the Anganwadi centre at Paturu-I Village, of Vepadu Mandal, Vizianagaram

Counsel for the Petitioner: MR.T.BHEEMSEN

Counsel for the Respondent No.: GP FOR WOMEN DEV. & CHILD WELFARE

The Court made the following ORDER:

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Heard both sides and at the request of both the counsel, the main writ petition itself is taken up for final hearing.

The petitioners, who are the residents of Paturu village, Vepadu Mandal, Vizianagaram District filed this writ petition, seeking writ of *Mandamus* challenging the action of the respondents in cancelling the Anganwadi Centre at Paturu-I village vide proceedings dated 11.02.2004. Having regard to the fact that the said Centre was in existence, there is no need for shifting the same or merging with another centre as it will deprive the facilities to the petitioners.

The learned Government Pleader on the other hand contended that the petitioners cannot have any right to say for shifting or merging the centers, but, whatever benefits there are entitled to receive, the same will be provided for them.

Having considered the material available on record with regard to shifting or merging of any of the Anganwadi center, the petitioners have no right to assail it. It is for the authorities concerned to take a policy decision to shift or not. The petitioners cannot be deprived or denied the benefit, if Paturu-I is merged with Paturu-II, which they are getting before.

Subject to the above, I do not find any merits in this writ petition and the same is accordingly dismissed. No order as to costs.

26.07.2004

va

To

1 The Principal Secretary, Govt. of Andhra Pradesh, Women Development, Child Welfare & Disabled Welfare Department, Secretary, Secretariat Buildings, Hyderabad.
2 The District Collector, Vizianagaram District.
3 The Project Director, District Woman & Child Development Agency, Vizianagaram.

4 Two C.Cs to G.P. for Women Development and Child Welfare, High Court of A.P. Buildings, Hyderabad (OUT)

5 Two CD Copies